

REMARKS

Applicants wish to first point out that the instant application does not claim priority to Germany 103-17-781.7 (4/16/2003), as erroneously indicated in the first paragraph under the heading "DETAILED ACTION."

Status of the claims

Claims 1-16 are pending. Claims 1 and 8-16 are allowed. Claims 2-7 stand finally rejected. Claims 2-7 have been canceled.

Rejection under 35 USC 102

Claims 2-7 stand rejected under 35 USC 102(b) as allegedly being anticipated by Arison (5952347), Tung (5869673), and Belley (5565473). While Applicants disagree with the Examiner's position, in order to advance prosecution of the application we have canceled claims 2-7. The cancellation is without prejudice and Applicants reserve the right to file a divisional application to pursue canceled subject matter. The rejection is now moot and its withdrawal is respectfully requested.

Applicants believe that in light of the above amended and remarks the application is now in condition for allowance. An early favorable action is respectfully requested.

Respectfully submitted,

By: Mollie M. Yang, Reg. #32718/
Mollie M. Yang
Reg. No. 32,718
Attorney for Applicants

MERCK & CO., INC.
P.O. Box 2000
Rahway, NJ 07065-0907
(732) 594-6343

Date: March 4, 2009